

Utility
Patent Application
Transmittal

Attorney Docket No. P-0034 US
First Inventor or Application Identifier
RAYBORN, Jerry
Title WATER BASED DRILLING FLUID ADDITIVE
Express Mail Label No. CONTAINING TALC +
GRAPHITE

22388 U.S. PTO
10/667318



APPLICATION ELEMENTS

See MPEP chapter 6000 concerning utility patent application contents.

1. ☒ *Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
 2. ☒ Specification [Total pages 35]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
 3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 2]
 4. Oath or Declaration
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application
(37 C.F.R. §1.63(d)) (for continuation/divisional with box 16 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R.
- §§1.63(d)(2) and 1.33 (b).

* NOTE FOR ITEMS 1&13: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. §1.28).

ADDRESS TO: Assistant Commissioner for
Patents
Box Patent Application
Washington, DC 20231

5. ☐ Microfiche Computer Program (Appendix)
6. Nucleotide and/or Amino Acid Sequence
Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy (identical to computer copy)
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☒ Assignment Papers (cover sheet & document(s))
8. ☐ 37 C.F.R. §3.73(b) Statement [] Power of Attorney
(When there is an assignee)
9. ☐ English Translation Document (if applicable)
10. ☐ Information Disclosure [] Copies of IDS
Statement (IDS)/PTO-1449 Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
13. ☒ *Small Entity [] Statement filed in prior
Statement(s) application, Status still
(PTO/SB/09-12) proper and desired
14. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
15. ☐ Other:

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

[] Continuation [] Divisional [x] Continuation-in-part (CIP) of prior Application No. 10/090201

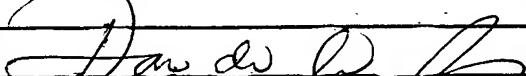
Prior application information: Examiner Philip Tucker Group / Art Unit: 1712

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

CORRESPONDENCE ADDRESS

[] Customer Number or Bar Code del or [] Correspondence address below

(Insert Customer No. or Attach bar code label here)

| | | | | | |
|----------------------|---|-----------|--------------------------------------|----------|----------------|
| Name | Dan de la Rosa | | | | |
| Address | 345 E 80th Street, Suite 27H | | | | |
| City | New York | State | NY | Zip Code | 10021 |
| Country | U. S. A. | Telephone | (212) 570-6597 | Fax | (212) 570-9053 |
| Name (print/type) | Dan de la Rosa | | Registration No. (Attorney/Agent) | | 38,429 |
| Signature |  | | | Date | Sept 22, 2003 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

FEE TRANSMITTAL f r FY 1999

Patent fees are subject to annual revision.
Small Entity payments must be supported by a
small entity statement, otherwise large entity fees
must be paid. See Forms PTO/SB/09-12.

Complete if Known

Application Number To Be Assigned _____
Filing Date September 23, 2002
First Named Inventor RAYBORN, Jerry
Examiner Name Philip TUCKER
Group / Art Unit 1712
Attorney Docket No. P-0034US

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated
fees and credit any over payment to:

Deposit Account No. _____
Deposit Account Name _____

2. ☐ Charge Any Additional

Fee Required Under

37 CFR 1.16 and 1.17

2. ☒ Payment Enclosed:

☒ Check ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

| Fee | Fee | Fee | Fee | Fee Description | Fee Paid |
|-----------------|-----------|-----------|-----------|------------------------|---------------|
| Code (\$) | Code (\$) | Code (\$) | Code (\$) | | |
| 101 | 760 | 201 | 380 | Utility filing fee | <u>\$ 375</u> |
| 106 | 310 | 206 | 155 | Design filing fee | |
| 107 | 480 | 207 | 240 | Plant filing fee | |
| 108 | 760 | 208 | 380 | Reissue filing fee | |
| 114 | 150 | 214 | 75 | Provisional filing fee | |
| SUBTOTAL (1) \$ | | | | | |

2. EXTRA CLAIM FEES

| Total Claims | Extra claims | Fee from below | Fee Paid |
|--------------|------------------|-----------------|------------|
| <u>26</u> | <u>-20** = 0</u> | <u>x</u> | <u>= 0</u> |
| Independent | | | |
| Claims | <u>3</u> | <u>-3** = 0</u> | <u>x</u> |
| Multiple | | | |
| Dependent | | | |

**or number previously paid, if greater; For Reissues, see below

Large Entity Small Entity

| Fee | Fee | Fee | Fee | Fee Description | Fee Paid |
|-----------------|-----------|-----------|-----------|------------------------|------------|
| Code (\$) | Code (\$) | Code (\$) | Code (\$) | | |
| 101 | 760 | 201 | 380 | Utility filing fee | <u>375</u> |
| 106 | 310 | 206 | 155 | Design filing fee | |
| 107 | 480 | 207 | 240 | Plant filing fee | |
| 108 | 760 | 208 | 380 | Reissue filing fee | |
| 114 | 150 | 214 | 75 | Provisional filing fee | |
| SUBTOTAL (1) \$ | | | | | <u>375</u> |

FEE CALCULATION

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee | Fee | Fee | Fee | Fee Description | Fee Paid |
|-----------|-----------|-----------|-----------|--|-----------|
| Code (\$) | Code (\$) | Code (\$) | Code (\$) | | |
| 105 | 130 | 205 | 65 | Surcharge-late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge-late prov | |
| | | | | provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR | |
| | | | | prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR | |
| | | | | after to Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 380 | 216 | 190 | Extension for reply within second month | |
| 117 | 870 | 217 | 435 | Extension for reply within third month | |
| 118 | 1,360 | 218 | 680 | Extension for reply within fourth month | |
| 128 | 1,850 | 228 | 925 | Extension for reply within fifth month | |
| 119 | 300 | 219 | 150 | Notice of Appeal | |
| 120 | 300 | 220 | 150 | Filing a brief in support of an appeal | |
| 121 | 260 | 221 | 130 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceedings | |
| 140 | 110 | 240 | 55 | Petition to revive-unavoidable | |
| 141 | 1,210 | 241 | 605 | Petition to revive-unintentional | |
| 142 | 1,210 | 242 | 605 | Utility issue fee (or reissue) | |
| 143 | 430 | 243 | 215 | Design issue fee | |
| 144 | 580 | 244 | 290 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petition to the Commissioner | |
| 123 | 50 | 123 | 50 | Petitions related to provisional applications | |
| 126 | 240 | 126 | 240 | Submission of Information Disclosure Sum | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per | <u>40</u> |
| | | | | Property (times number of properties) | |
| 146 | 760 | 246 | 380 | Filing a submission after final rejection | |
| | | | | (37 CFR 1.129(a)) | |
| 149 | 760 | 249 | 380 | For each additional invention to be | |
| | | | | examined (37 CFR 1.129(a)) | |

Other fee (specify) _____

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL \$ 40

TOTAL AMOUNT \$ 415.00

| | | | | | |
|-----------------------|--------------------------|------|----------------|--------------------------|---------------|
| SUBMITTED BY | | | | Complete (if applicable) | |
| Typed or Printed Name | <u>Dan M. de la Rosa</u> | | | Reg. Number | <u>38,429</u> |
| Signature | <u>[Signature]</u> | Date | <u>9/22/03</u> | Deposit Account User ID | |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: RAYBORN, Jerry
Serial No.: To Be Assigned
Filed: September 23, 2003
Title: WATER-BASED DRILLING FLUID ADDITIVE
CONTAINING TALC AND GRAPHITE
Examiner: Tucker, Philip Art Unit: 1712
Docket: P-0034US

CERTIFICATE OF UPS MAILING

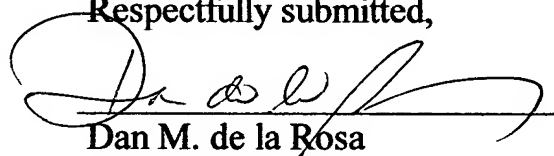
Date of Deposit: September 23, 2003

I hereby certify that the following attached paper (s) and/or fee

- (1) Utility Patent Application Transmittal;
- (2) Declaration for Utility or Design Patent Application (37 CFR 1.63);
- (3) Fee Transmittal;
- (4) Assignment and Assignment Recordation Sheet;
- (5) Continuation-In-Part Patent Application (Comprising 35 pgs, 31 pgs of specifications, 3 pgs of claims, 1 pg abstract, 2 pgs of drawings);
- (6) Two checks totaling the amount of \$415.00 (a \$410 check & a \$5 check); and
- (7) A self-addressed stamped postcard, return which is requested to acknowledge receipt of the enclosed documents

Are being deposited with UPS on the date indicated above and is addressed to the "Commissioner of Patents, Crystal Plaza #2, Suite 1A031, 2011 South Clark Place, Arlington, VA 22202";

Respectfully submitted,



Dan M. de la Rosa

Dated: September 23, 2003

CORRESPONDENCE:

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New York, NY 10021
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